

SIXTH DAY.

Senate Chamber.

Austin, Texas, January 14, 1895.

Senate met pursuant to adjournment.

President pro tem. Lewis in the chair.

Roll called. Quorum present, the following Senators answering to their names:

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| Agnew. | Dickson. | Rogers. |
| Atlee. | Gage. | Sherrill. |
| Beall. | Goss. | Simpson. |
| Bowen. | Greer. | Smith. |
| Bowser. | Harrison. | Steele. |
| Colquitt. | Lawhon. | Tips. |
| Crowley. | Lewis. | Whitaker. |
| Darwin. | McKinney. | Woods. |
| Dean. | Presler. | |

Excused.

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| Bailey. | Dibrell. | McComb. |
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Absent.

Shelburne.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal,

On motion of Senator Whitaker, the further reading was suspended.

On motion of Senator Agnew, Senator Dibrell was excused from attendance on the morning session on account of important business.

On motion of Senator Crowley, Senator Stafford was indefinitely excused on account of sickness, and the Journal to show him excused from beginning of session.

On motion of Senator Simpson, Senator McComb was excused for today on account of important business.

Senator Steele moved to reconsider the vote by which Senator Stafford was excused from attendance on the Senate indefinitely on account of sickness, because of his not having yet qualified.

Reconsidered, and the Chair ordered that Senator Stafford's name be dropped from the roll, as he was not a member of the Senate, not having taken the oath of office.

HOUSE MESSAGE.

House of Representatives,

Austin, Texas, January 12, 1895.

Hon. M. M. Crane, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the following concurrent resolution:

Be it resolved by the House of Representatives, the Senate concurring, That the following joint committees, each one composed of three members of the House and two of the Senate, be appointed by the Speaker of the House and the President of the Senate respectively, for the following purposes, viz.:

First—To visit the University of Texas, the A. and M. College, the Sam Houston Normal Institute, and the Prairie View Normal School. Second—To visit the North Texas Lunatic Asylum. Third—

To visit the Southwestern Lunatic Asylum. Fourth—To visit the Reformatory. Fifth—To visit the Penitentiaries. Sixth—It shall be the duty of each committee so appointed to examine carefully and thoroughly into the condition and management of the institutions visited by it, and to make a report of the same to the Legislature, with such suggestions as the committee may deem necessary. Seventh—The expenses of said joint committees to be paid out of the contingent fund of the Twenty-fourth Legislature.

Respectfully, CHESTER HAILE,
Chief Clerk House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Agnew:

A bill to be entitled "An act to adopt and establish a Penal Code and a Code of Criminal Procedure for the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Smith:

A bill to be entitled "An act to adopt and establish the Revised Civil Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Whitaker:

A bill to be entitled "An act to establish a court at Texarkana, in Bowie county, to be styled 'Texarkana Civil and Criminal Court,' and to prescribe the jurisdiction and organization thereof, and to conform the jurisdiction of other courts thereto."

Read first time and referred to Judiciary Committee No. 2.

By Senator Woods:

A bill to be entitled "An act to amend article 3201, title 62, chapter 1, of the Revised Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Tips:

A bill to be entitled "An act to amend articles 4592, 4603, 4604, 4605 and 4606 of the Revised Civil Statutes of the State of Texas."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Agnew:

A bill to be entitled "An act to amend article 318, chapter 4, title 9 of the Penal Code of the State of Texas, as amended by the Twenty-first Legislature, by an act entitled 'An act to amend article 318, chapter 4, title 9, of the Penal Code of the State of Texas, passed by the Twentieth Legislature, and approved February 24, 1887,' approved January 30, 1889."

Read first time and referred to Judiciary Committee No. 2.

By Senator Greer:

Joint resolution to amend sections 4, 22 and 23 of article 4, and sections 9, 15, 18, 20, 21 and 23 of article 5; sections 14

and 16, article 8: sections 30 and 44 of article 16 of the Constitution of Texas.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Greer:

Joint resolution to amend sections 2, 3, 4, 5, 24 and 28, of article 3, of the Constitution of Texas.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Gage:

Joint resolution to amend section 2, article 6, of the Constitution of Texas, relating to the qualification of voters.

Read first time and referred to Committee on Constitutional Amendments.

Call concluded.

The Chair announced the following appointment: R. A. Groves, Clerk Committee on Internal Improvements.

On motion of Senator Bowser, Senate adjourned to 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in chair.

Roll called.

Quorum present, the following Senators answering to their names:

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| Agnew. | Dickson. | Rogers. |
| Atlee. | Gage. | Shelburne. |
| Beall. | Goss. | Sherrill. |
| Boren. | Greer. | Simpson. |
| Bowser. | Harrison. | Steele. |
| Colquitt. | Lawhon. | Tips. |
| Darwin. | Lewis. | Whitaker. |
| Dean. | McKinney. | Woods. |
| Dibrell. | Presler. | |

Excused—Senators Bailey, McComb.

By consent, the following bill was introduced:

By Senator Agnew (by request):

A bill to be entitled "An act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the first day of January, 1887, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof within the time required by law."

Read first time and referred to Committee on Internal Improvements.

HOUSE MESSAGE.

House of Representatives.

Austin, Texas, January 14, 1895.

Hon. M. M. Crane, President of Senate: I am directed by the House to inform the Senate that the House has passed:

Senate bill No. 3. "An act appropriating one hundred and ten thousand dollars to pay members mileage and per diem and officers and employes per diem of the Twenty-fourth Legislature." Passed by two-thirds vote; ayes 108, noes 6.

Senate bill No. 4. "An act making an appropriation to defray the contingent expenses of the Twenty-fourth Legislature." Passed by two-thirds vote; ayes 111, noes 1.

Respectfully. CHESTER HAILE,
Chief Clerk House of Representatives.

By permission, Senator Tips made the following report:

Committee Room, Jan. 14, 1895.

Hon. M. M. Crane, President of Senate: Your Committee on Finance, to whom was referred

Senate bill No. 27, entitled "An act to transfer to the general revenue account certain funds now in the State Treasury to the credit of other accounts,"

Have had the same under consideration, and I am instructed to report same back with the recommendation that it do pass, with the following amendment:

To section 1, add: "County tax organized counties \$23,000; settlement of estates \$2121.64, or as much of these several funds as may remain in the hands of the Treasurer upon the final passage and approval of this bill." TIPS, Chairman.

The Chair then laid before the Senate the above bill on second reading.

Senator Tips moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be read second time.

Lost by the following vote:

Yeas—17.

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| Atlee. | Greer. |
| Beall. | Lawhon. |
| Boren. | Presler. |
| Bowser. | Rogers. |
| Colquitt. | Simpson. |
| Dean. | Tips. |
| Dickson. | Whitaker. |
| Gage. | Woods. |
| Goss. | |

Nays—8.

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| Darwin. | McKinney. |
| Dibrell. | Sherrill. |
| Harrison. | Smith. |
| Lewis. | Steele. |

Absent, not excused—2.

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| Crowley. | Agnew. |
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Absent, excused—3.

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| Bailey. | Shelburne. |
| McComb. | |

On motion of Senator Atlee the bill was ordered printed in the Journal, to-wit: "An act to transfer to the general revenue account certain funds now in the State Treasury to the credit of other accounts.

"Section 1. Be it enacted by the Legislature of the State of Texas: That the amounts now in the State Treasury to the credit of the following named accounts be and the same are hereby transferred to the general revenue account,

to be used in the payment of the current expenses of the State Government:

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| Direct tax account.... | \$115,449 86 |
| Unorganized tax account.... | 68,706 97 |
| Escheated estates account.. | 4,087 52 |

"Section 2. That the Comptroller of Public Accounts shall make such entries on the books of his department as will show the transfers directed in Section 1, of this act, and shall notify the State Treasurer of said transfers.

"Section 3. That should any claim authorized by law be presented against any one of these accounts from which funds have been borrowed and transferred by Section 1, of this act, not exceeding the amount transferred from such account, the Comptroller shall forthwith transfer from the general revenue account back to the account against which any lawful claim may be presented, such an amount as will be sufficient to pay said claim without reference to any warrants, whether registered or otherwise, which may be outstanding against the general revenue.

"Section 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

"Section 5. Whereas, the immediate operation of the provisions of this act will place in the Treasury to the credit of the general account additional funds necessary for the payment of the current expenses of the State Government; therefore an emergency exists that the Constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

On motion of Senator Bowser, at 3:10 p. m. the Senate went into executive session on the Governor's appointments. (See Journal of the 12th instant.)

AFTER EXECUTIVE SESSION.

Senator Sherrill moved that the Senate go into executive session next Friday, Jan. 17, to consider the Governor's appointments.

Carried.

On motion of Senator Steele, Senate adjourned to 10 a. m. tomorrow.

SEVENTH DAY.

Senate Chamber,
Austin, Texas, January 15, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called. Quorum present, the following senators answering to their names:

Present—Agnew, Atlee, Bailey, Beall, Boren, Bowser, Colquitt, Crowley, Darwin, Dean, Dibrell, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McComb, McKinney, Rogers, Sherrill, Simpson, Smith, Steele, Tips, Whitaker, Woods.

Absent—Senators Presler and Shelburne.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Smith, Senator Shelburne was excused for non-attendance on Senate for yesterday, today and tomorrow on account of sickness.

On motion of Senator Rogers, Senator Bailey was excused for yesterday on account of sickness.

On motion of Senator Atlee, Senator Lawhon was excused from morning session on account of important business.

HOUSE MESSAGE.

The following message was received from the House:

House of Representatives,
Austin, Texas, January 15, 1895.

Hon. M. M. Crane, President of the Senate:

I am directed by the House to inform the Senate that a motion to reconsider the vote by which House concurrent resolution No. 2, providing for committees to visit the various State institutions has been made and spread upon the Journal. I am therefore directed by the House to request the Senate to return said resolution to the House.

Respectfully,

CHESTER HAILE,
Chief Clerk House of Representatives.

On motion of Senator Lewis, permission was granted to withdraw House concurrent resolution No. 2.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, January 15, 1895.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 5, being a bill to be entitled "An act to repeal Chapter 74 of the acts of the Twenty-third Legislature, approved May 2, 1893, and found on page 98, General Laws of the Twenty-third Legislature of the State of Texas, and known as the Board of Pardons Advisers,"

Have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass, with the following amendment:

Amend by adding section 2, as follows:

"Section 2. Whereas, the terms of members of the Board of Pardon Advisers are about to expire; and whereas, without remedial legislation it will now be necessary to appoint the successors of the said members of the existing board, an emergency exists; therefore, be it enacted, that the constitutional rule requiring bills to be read on three several days be suspended, and this act take effect and be in force from and after its date.

AGNEW, Chairman.